

**CARLSON, GASKEY & OLDS, P.C.****FACSIMILE COVER PAGE**

Date:	September 27, 2002	Time:
To:	Examiner Flanigan, Art Unit 3743 U.S. Patent and Trademark Office	For Information Call: (248) 988-8360
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GROUP 3700*

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9639UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: James William Otter  
Serial No.: 09/927,274  
Filed: August 10, 2001  
Group Art Unit: 3743  
Examiner: Flanigan, Allen J.  
Title: BLACK LAYER COATED HEAT EXCHANGER

REQUEST FOR RECONSIDERATION

BOX AF  
Assistant Commissioner of Patents  
Washington, D.C. 20231

Sir:

This paper is responsive to the Office Action mailed on July 30, 2002. Claims 1-5 and 21 and 22 remain in this application, and Claims 6, 7 and 9-20 have been withdrawn from consideration.

Claims 1-5, 21 and 22 stand rejected under 35 U.S.C. §103(a) as being obvious over Smith in view of Thery. Smith discloses a radiator 24 with exterior radiant surfaces 80 and 82 coated with a highly emissive material. Thery discloses the oxidation of copper deposits 13c to black copper oxide.

The combination of Smith and Thery does not suggest Applicant's claims. Applicant's claims require the step of applying a layer of oxidizable material on two sides of a heat exchanger, the inner and outer surface. In Smith, the highly emissive material is only applied to one side of the radiator 24, the outer surfaces 80 and 82. The inner surface of the radiator 24 is not coated with the highly emissive material. Neither Smith nor Thery discloses the step of applying a layer of oxidizable material to two surfaces as required by Applicant's claims.

Additionally, applying the oxidizable material to two surfaces of the heat exchanger as required by Applicant's claims provides additional advantages. As disclosed in the patent application as originally filed, coating both the inner surface and the outer surface of the heat exchanger increases the emissivity of the heat exchanger, allowing for an additional increase in

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heat exchanger efficiency. The increase in the emissivity resulting from coating both the inner surface and the outer surface of the heat exchanger also allows for a reduction in the size of the heat exchanger. Applicant's claims are not obvious, and Applicant respectfully requests that the rejection be withdrawn.

Thus, claims 1-5 and 21-22 are in condition for allowance. No additional fees are due. If any additional fees are due, the Commissioner is authorized to charge Deposit Account No. 50-1482, in the name of Carlson, Gaskey & Olds, P.C., for any additional fees or credit the account for any overpayment. Therefore, favorable reconsideration and allowance of this application is respectfully requested.

Respectfully submitted,

CARLSON, GASKEY & OLDS, P.C.

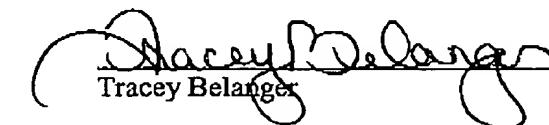


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Dated: September 27, 2002

CERTIFICATE OF FACSIMILE

I hereby certify that this correspondence is being facsimile transmitted to Examiner Flanigan at the United States Patent and Trademark Office, Art Unit 3700, after Final, 703-872-9303 on September 27, 2002.

  
Tracey Belanger